

Before the
Federal Communications Commission
Washington, D.C. 20554

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In the Matter of

ALATRON CORPORATION, INC.
Goshen, Alabama

RM- _____

Amendment of Section 73.202(b)
Table of FM Allotments
to Allot Channel 262A to
Goshen, Alabama

DOCKET FILE COPY ORIGINAL

TO: Chief, Allocations Branch

PETITION FOR RULE MAKING

Alatron Corporation, Inc. ("Alatron"), by its attorney, hereby respectfully requests the Chief, Allocations Branch, to issue a notice of proposed rule making, looking towards the deletion of the current Channel 262A FM allotment at Brantley, Alabama, and to the making of a new allotment of Channel 262A to Goshen, Alabama. Further, Alatron respectfully requests the Commission to issue an order modifying the construction permit for FM broadcast station WAOQ, Brantley, Alabama, to specify operation at Goshen, Alabama, instead of Brantley, Alabama. In support thereof, it is alleged:

1. Alatron is the permittee (File No. BPH-941025MB) of FM Broadcast Station WAOQ, Brantley, Alabama. Channel 262 was

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allocated to Brantley by an order effective November 26, 1990, and published at 55 FR 42011. However, nobody showed any interest in the channel until Alatron filed an application on October 25, 1994. Alatron's application was unopposed, reflecting the general lack of interest in a new FM channel in the Brantley area.

2. Alatron has engaged Bromo Communications, Inc., to make a study to determine whether Station WAOQ can be moved to a different community. That study is attached. It shows that WAOQ's channel, Channel 262, can be allocated to Goshen, Alabama, in full conformity with all of the coverage and spacings requirements of the FCC's Rules and Regulations. Alatron hereby respectfully requests the Commission to do exactly that: to reallocate Channel 262 from Brantley to Goshen and to modify the construction permit for Station WAOQ to specify that the station will operate from Goshen instead of Brantley.

3. The proposed reallocation will serve the public interest. The public will lose no service, because Station WAOQ has never been on the air. Furthermore, the proposed reallocation will promote the objectives of Section 307(b) of the Communications Act, which mandates that the Commission allocate frequencies in a "fair, efficient and equitable manner." Brantley is already served by AM Broadcast Station WLVN, which operates on the frequency 1080 Khz, daytime only.¹ The licensee of Station WLVN, moreover, has an

¹FCC records show that Station WLVN is temporarily off the air. It appears, however, that the licensee expects to restore the station with improved and expanded facilities.

application on file for an increase in daytime power from 500W to 5 kW and to add nighttime operation with power of 0.4 kW. Therefore, the proposed move of Station WAOQ from Brantley to Goshen constitutes a move from a community which already has an existing local broadcast service to a community which does not.

4. While Goshen is a small community, having a 1990 Census population of 302 persons, it is an incorporated place and, therefore, clearly qualifies as a community for allocation purposes. Furthermore, by moving Station WAOQ from Brantley to Goshen, the number of persons which the station will serve will be increased from 34,013 persons to 35,513 persons. See attached engineering report.

WHEREFORE, it is respectfully requested that the Commission reallocate Channel 262A from Brantley, Alabama, to Goshen, Alabama, and issue an order modifying the construction permit for Station WAOQ to specify operation from Goshen, Alabama, instead of Brantley, Alabama.

April 26, 1996

Law Office of
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Respectfully submitted

ALATRON CORPORATION, INC.

By: 

Lauren A. Colby
Its Attorney

**REQUESTED RULE MAKING
TO CHANGE CITY OF LICENSE FROM
BRANTLEY TO GOSHEN, ALABAMA
APRIL 1996**

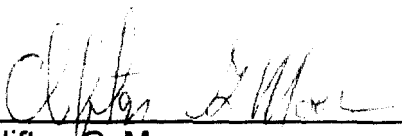
This Requested Rule Making is filed on behalf of Alatron Corporation, Inc. (herein after referred to as "Alatron") permittee of WAOQ, Brantley, Alabama. Alatron wishes to request a change of city of license from Brantley to Goshen, Alabama and remain Class A. This request complies with all spacing requirements of §73.207 (see Exhibit #1). The proposed reference site for Goshen, Alabama is 31° 48' 55" North Latitude and 86° 06' 39" West Longitude. This location is known to be available to Alatron as a transmitter site. From this requested location, the 70 dBu city grade contour will completely cover Goshen.

The 1990 Census for the State of Alabama reflects the Pike County town of Goshen as having a population of 302 persons. This Alatron proposal would serve 35,513 persons or an increase from the present Alatron construction permit which serves 34,013 persons. The Brantley allocation and the proposed Goshen allocation both serve approximately the same area since both will be class maximum 6 KW stations at 100 m HAAT.

Because Channel 262 at Brantley has never been on the air, removing the Brantley allocation will not cause loss of service. However, WLVN (AM), 1080 kHz, 500 Watts is licensed to Brantley. They have an application pending for a power increase to 5 KW day .4 KW night on 1030 kHz with a directional antenna

at night. Goshen, Alabama has no other broadcast serviced allocated or licensed there. This Alatron proposal is the first service licensed to Goshen.

When ordered, Alatron will file a timely Form 301 to modify it's construction permit to serve Goshen, the proposed new city of license.



Clifton G. Moor
Consultant to
Alatron Corporation, Inc.

April 11, 1996

BROMO COMMUNICATIONS INC
(706) 782-7222 - (202) 429-0600

Alatron Corporation
Goshen, Alabama

REFERENCE		CLASS A	DISPLAY DATES
31 48 55 N			DATA 03-29-96
86 06 39 W		Current rules spacings	SEARCH 04-10-96
----- CHANNEL 262 -100.3 MHz -----			

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
WAOQ.C CP CN	262A 31 42 47	Brantley 86 12 02	AL 6.000 kW	216.9 100M	14.17 8.8	115.0 71.5	-100.83 *
	Alatron Corporation, Inc.				BPH941025MB		970110
WXUS LI CN	263A 31 19 38	Fort Rucker 85 35 35	AL 2.800 kW	137.7 145M	73.10 45.4	72.0 44.8	1.10 <
	Sky Way Broadcasting, Ltd.				BLH921102KD		
WOBB LI CN	262C 31 25 49	Tifton 83 45 22	GA 100.000 kW	100.8 307M	227.46 141.4	226.0 140.5	1.46 <
	WWGS/Wcup Partnership				BLH890712KA		
WDXX LI CN	261C2 32 26 02	Selma 87 00 40	AL 50.000 kW	308.9 88M	109.19 67.9	106.0 65.9	3.19
	Holder Communications Corpora				BLH900824KA		
WOOFFM LI CN	259C1 31 15 07	Dothan 85 17 12	AL 100.000 kW	128.6 299M	100.14 62.2	75.0 46.6	25.14
	WOOF, Inc.				BLH850506KS		

ALLOCATION STUDY

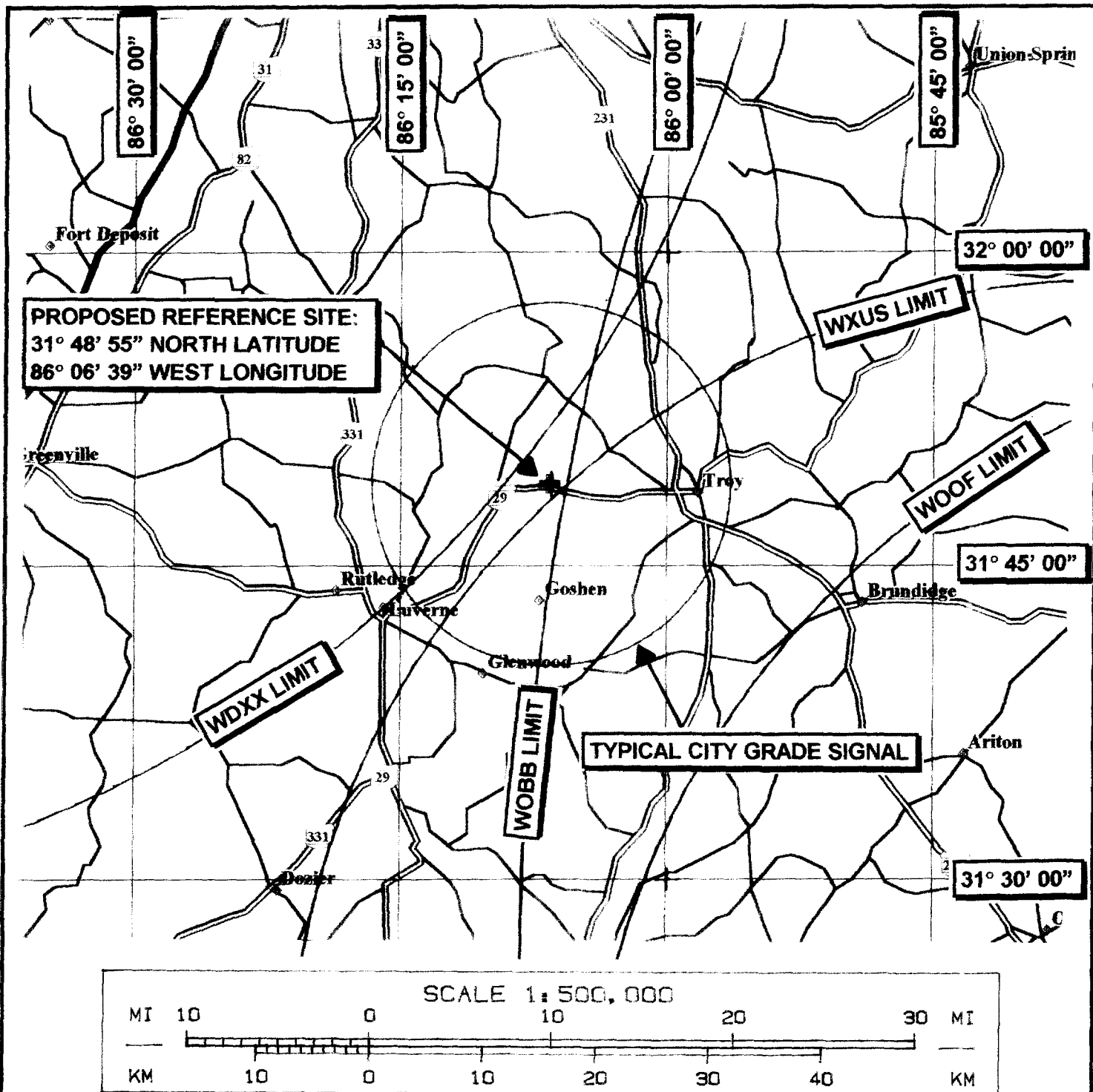
ALL \$73.207 SPACING REQUIREMENTS ARE
SATISFIED.

EXHIBIT #1

**REQUESTED RULE MAKING
TO CHANGE CITY OF LICENSE FROM
BRANTLEY TO GOSHEN, ALABAMA
APRIL 1996**

BROMO
COMMUNICATIONS

BROADCAST
TECHNICAL CONSULTANTS



262 A USABLE AREA

MAP IS A PORTION OF ALABAMA 500,000
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TYPICAL 70 dBu CITY GRADE CONTOUR COVERS
 GOSHEN, PROPOSED CITY OF LICENSE.

EXHIBIT #2

**REQUESTED RULE MAKING
 TO CHANGE CITY OF LICENSE FROM
 BRANTLEY TO GOSHEN, ALABAMA
 APRIL 1996**

BROMO
 COMMUNICATIONS

BROADCAST
 TECHNICAL CONSULTANTS